

191—21.3 (515I) Surplus lines insurance producer's duties.

21.3(1) *Surplus lines insurance producer's collection of tax.* A surplus lines insurance producer who places insurance with an eligible surplus lines insurer shall collect premium tax from the eligible surplus lines insurer by withholding 1 percent of the premiums for such tax.

21.3(2) *Electronic reporting of premium tax.* A surplus lines insurance producer who places insurance with an eligible surplus lines insurer shall file electronically the premium tax information with the division on or before March 1 for policies issued during the preceding calendar year.

21.3(3) *Annual report.* On or before March 1 of each year, every surplus lines insurance producer who has placed insurance with an eligible surplus lines insurer when the policies have been issued during the preceding calendar year shall file electronically with the division or as otherwise directed by the division a sworn report of all such business written during the preceding calendar year and shall submit the amount to cover the taxes due on all such business. If no business was written during the preceding calendar year, no report is required. Failure to file an annual report or pay the taxes imposed by Iowa Code chapter 515I will be deemed grounds for the revocation of a surplus lines insurance producer's license by the division, and failure to file an annual report or pay taxes within the time requirements of this rule will subject the surplus lines insurance producer to the penalties of Iowa Code section 515I.12.

[**ARC 7663B** , IAB 3/25/09, effective 4/29/09; **ARC 2727C** , IAB 9/28/16, effective 11/2/16]